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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,819	03/18/2002	John Hawkins	MPD 317	4489

7590

10/27/2003

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EXAMINER
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BOYER, CHARLES I

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 10/27/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/018,819

Applicant(s)

HAWKINS ET AL.

Examiner

Charles I Boyer

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 18 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Objections*

1. Claims 1 and 4 are objected to because of the following informalities: "Sufficient of a deflocculant" is confusing. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Asano et al,

US 6,136,769.

Asano et al teach a liquid-gel dishwashing detergent comprising 16.5% citric acid, 25% sodium/potassium carbonate, 1.8% anionic/nonionic/cationic surfactant, 6% sorbitol, and the balance water (col. 59, example XVII, formulation D). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

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4. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Murphy, US 6,077,317.

Murphy teaches a heavy duty liquid detergent comprising 5% sodium citrate, 32% anionic/nonionic surfactant, 4.5% sorbitol, and the balance water (col. 13, example IX). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

5. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Bae-Lee et al, US 6,159,918.

Bae-Lee et al teach a liquid detergent comprising 6% sodium citrate, 32% anionic/nonionic surfactant, 6% sorbitol, and the balance water (col. 14, table 1). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

6. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsaur et al, US 5,281,355.

Tsaur et al teach a structured liquid detergent comprising up to 30% sodium citrate/nitriloacetate, up to 56% anionic/nonionic surfactant, up to 15% sorbitol, and the balance water (col. 20, lines 40-58). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

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7. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Panandiker et al, US 5,468,414.

Panandiker et al teach a heavy duty liquid detergent comprising citric acid, anionic/nonionic/cationic surfactant, 4% sorbitol, and the balance water (col. 21, example 9). Another example comprises citric acid, anionic/nonionic/cationic surfactant, 4% sucrose, and the balance water (col. 21, example 10). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Knowlton et al, US 5,712,239.

Knowlton et al teach a liquid detergent comprising 9.7% sodium citrate, 42% anionic/nonionic surfactant, 16.1% sorbitol, and the balance water (col. 10, table 1). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

9. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Knowlton et al, US 5,723,434.

Falk et al teach a liquid detergent comprising 5% sodium citrate, 30% anionic/nonionic surfactant, 4.5% sorbitol, and the balance water (col. 23, example 9). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

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10. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Ouhadi et al, US 4,891,148.

Ouhadi et al teach a heavy duty liquid detergent comprising 10% nonionic surfactant, and 5% alkali metal alginic acid builder salt (col. 18, claim 1). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

11. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Hsu et al, US 6,258,771.

12. Hsu et al teach a liquid detergent comprising sodium citrate, anionic/nonionic surfactant, sorbitol solution, and the balance water (col. 21, example 7). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

13. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Zelger, US 5,429,767.

Zelger teaches a storage-stable liquid detergent comprising 0.2% sodium alginate (col. 5, example 2). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

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***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 1, 3, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsauro et al, US 5,281,355.

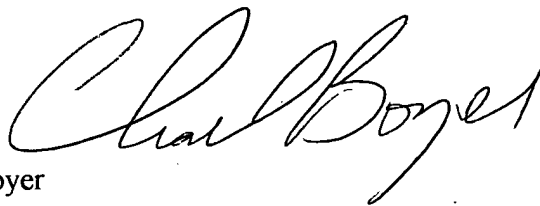
Tsauro et al are relied upon as set forth above. The specific proportions of components set forth in present claim 4 are not taught by Tsauro et al, however, as these proportions are overlapped by the teachings of the reference, it would have been obvious to one of ordinary skill in the art to prepare a structured detergent which meets the limitations of present claim 4 based on the teachings of Tsauro et al.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Boyer whose telephone number is (703) 308-2524. The examiner can normally be reached on Monday-Friday from 9:30 AM - 6:00 PM.

If reasonable attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Group is (703) 872-9310 for non-after-final amendments and (703) 872-9311 for after-final amendments.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

A handwritten signature in cursive script, reading "Charles Boyer". The signature is written in black ink and is positioned above the printed name.

Charles Boyer

October 23, 2003